

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 392 be amended to read as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **This SECTION**
- 3 **applies only to a solid waste landfill:**
- 4 **(1) in existence on April 15, 1999; and**
- 5 **(2) located in a county having a population of more than**
- 6 **twenty-three thousand seven hundred (23,700) but less than**
- 7 **twenty-four thousand (24,000).**
- 8 **(b) As used in this SECTION, "Subtitle D" refers to solid waste**
- 9 **landfill design standards of the federal Resource Conservation and**
- 10 **Recovery Act as provided in 40 CFR 258.**
- 11 **(c) A landfill may not be operated after November 1, 2002, if the**
- 12 **landfill does not comply with the following provisions of 40 CFR**
- 13 **258:**
- 14 **(1) The western slope of the landfill footprint as it exists on**
- 15 **April 15, 1999, must be incorporated into a new Subtitle D**
- 16 **landfill cell with a synthetic liner installed on the lower**
- 17 **portion of the western slope.**
- 18 **(2) The new Subtitle D landfill cell must be located in part of**
- 19 **the western unfilled area as provided in the original landfill**
- 20 **permit issued January 5, 1988.**
- 21 **(3) All areas of the landfill footprint as it exists on April 15,**
- 22 **1999, that are not incorporated into the new Subtitle D**
- 23 **landfill cell must be closed by October 15, 2002, under the**
- 24 **requirements of 329 IAC 10-22-7(b).**

1 **(4) The proper authority of the county where the landfill is**
2 **located shall employ a qualified independent consultant to**
3 **determine whether the new Subtitle D landfill cell will be**
4 **negatively impacted by the geology at the landfill site.**

5 **(d) During 1999 and 2000, the landfill shall conduct appropriate**
6 **tests to determine groundwater flow direction for the purpose of**
7 **determining appropriate groundwater monitoring locations. Tests**
8 **performed under this subsection must include the use of dyes and**
9 **must be jointly approved by the:**

10 **(1) department of environmental management; and**

11 **(2) solid waste management district board for the district**
12 **where the landfill is located.**

13 **(e) The county:**

14 **(1) may continue to operate the landfill through November 1,**
15 **2002, in the landfill footprint existing on April 15, 1999; and**

16 **(2) must operate the landfill in compliance with all applicable**
17 **permit conditions and rules relative to landfill operations,**
18 **except for rule provisions associated with karst terrain.**

19 **(f) This SECTION expires January 1, 2008.**

20 **SECTION 2. An emergency is declared for this act.**

(Reference is to ESB 392 as printed April 6, 1999.)

Representative Oxley